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THE CULT OF DETERRENCE: A MORAL AND STRATEGIC
CRITIQUE OF THE ANTI-BALLISTIC MISSILE TREATY

by

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A Thesis Presented in Partial Fulfillment
of the Requirements for the Degree
Master of Arts in Political Science
(63 pages)

ARIZONA STATE UNIVERSITY

August 1997

ABSTRACT

Ballistic missile defense is the morally and strategically superior alternative to the current system of deterrence, provided that it is responsibly implemented. Analysis of the Just War Criteria and the utilitarian justifications of deterrence present a moral obligation to pursue the alternative strategy of missile defense as a means of defending the United States. However, the Anti-Ballistic Missile (ABM) Treaty does not allow earnest pursuit of this alternative, despite recent efforts to exploit its loopholes and broaden its meaning beyond any reasonable limit. Moreover, deterrence can no longer provide the guarantee of security that it did during the Cold War. Offense-Defense Theory shows that revisionist states are not subject to the same calculations of effective deterrence that the Soviet Union was during that period. This strategic analysis underlies the moral evaluations and further supports missile defense. The cult of deterrence is presented as an explanation for the failure to adapt national security policy to the new international structure, as European powers failed to perceive the offense-defense balance prior to World War I. The ABM regime threatens to reproduce those same mistakes with even greater consequences.

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ABSTRACT

Ballistic missile defense is the morally and strategically superior alternative to the current system of deterrence, provided that it is responsibly implemented. Analysis of the Just War Criteria and the utilitarian justifications of deterrence present a moral obligation to pursue the alternative strategy of missile defense as a means of defending the United States. However, the Anti-Ballistic Missile (ABM) Treaty does not allow earnest pursuit of this alternative, despite recent efforts to exploit its loopholes and broaden its meaning beyond any reasonable limit. Moreover, deterrence can no longer provide the guarantee of security that it did during the Cold War. Offense-Defense Theory shows that revisionist states are not subject to the same calculations of effective deterrence that the Soviet Union was during that period. This strategic analysis underlies the moral evaluations and further supports missile defense. The cult of deterrence is presented as an explanation for the failure to adapt national security policy to the new international structure, as European powers failed to perceive the offense-defense balance prior to World War I. The ABM regime threatens to reproduce those same mistakes with even greater consequences.

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Introduction

With the defeat of the "Defend America Act" in Congress last year, critics of that proposal proclaimed an end to the debate over strategic missile defense systems in the post-Cold War era.¹ However, the highly partisan nature of that legislation and the debate which it inspired consistently drew attention away from the problem this bill was meant to address: the dramatic proliferation of ballistic missile technology and weapons of mass destruction since the fall of the Soviet Union. This proliferation has spurred a great deal of debate over the continuing effectiveness of deterrence as a national security strategy, but the debate is always constrained by the policy leftovers of the Cold War, such as the ABM treaty. In addressing the threat to effective deterrence, the United States is faced not only with a challenge of ethical and strategic decision-making, but an opportunity to change the current system to conform better with America's interests and principles.

In his article, "The Cult of the Offensive and the Origins of the First World War," Stephen Van Evera describes a widespread faith in the necessity of an offensive doctrine which led European powers to overestimate the potential payoffs of aggression and to seek security through expansion. This mistaken belief changed the nature of several strategic cultures, he argues, rendering key decision-makers blind to important strategic realities.² This collective misperception not only provided the "primary cause" of the war, according to Van Evera, but dramatically affected the way it was fought and the damage it did. Careful analysis of the factors outlined by Van Evera shows that a similar cult may have developed around the myth of universal deterrence through Mutually Assured Destruction (MAD).

¹Joseph Cirincione, "Why the Right Lost the Missile Defense Debate," *Foreign Policy* (Spring 1997), 39-55.

²Stephen Van Evera, "The Cult of the Offensive and the Origins of the First World War," *International Security* 9 (Summer 1984), 58-107.

The purpose of this thesis is to show that the Anti-Ballistic Missile (ABM) Treaty of 1972 is no longer an effective or desirable constraint on American foreign policy, but that it has been maintained by a "Cult of Deterrence" among policy-makers in the United States and abroad. This cult, formed by important successes during the Cold War, now threatens the security of this country by continuing the destabilizing reliance on mutual vulnerability and by undermining the moral authority which is so important to a nation of principles.

Like the offensive doctrines Van Evera described, deterrence is a useful and important strategy, but not universally applicable. For example, it is quite likely that deterrence played the decisive role in preventing major power war during the four-decade-long Cold War.³ However, the clear implication of the theory of doctrinal "cults" is that complete reliance on a single doctrine, whether offensive, defensive, or even deterrent, can have catastrophic consequences if technology or politics cause a change in the offense-defense balance that decision-makers do not perceive. In this sense, the decline of the Soviet Union, combined with recent advances in the technology of missile defense systems, may have altered the strategic balance enough that deterrence alone is not sufficient for defending the United States. In this light, the ABM treaty, which committed the Cold War superpowers to a deterrence-only defense strategy, may since have been overtaken by events, to the point where it is no longer beneficial, and may even be harmful to the interests of the signatories, especially the United States.

³Some scholars (notably John Mueller, "The Essential Irrelevance of Nuclear Weapons: Stability in the Postwar World," *International Security* 13 (Fall 1988), 45-69.) question this claim, asserting that deterrence successes are impossible to prove conclusively, and that other factors may have maintained the peace. However, most scholars, and nearly all policy-makers, admit that nuclear weapons played a vital role in deterring the Soviet Union from invading West Germany. Even Kenneth Waltz, whose *Theory of International Politics* (Reading, Mass: Addison-Wesley, 1979) could provide the best alternative explanation for this period (arguing the primacy of polarity and not weaponry), has proclaimed the importance of nuclear weapons in his later work, including *The Spread of Nuclear Weapons: A Debate*, which he co-authored with Scott Sagan (New York: W.W. Norton, 1995).

Certainly, there are many sound and effective arguments to be made for nuclear deterrence and the ABM treaty. To argue that a cult exists is not to say that every person who supports this strategy is incompetent. Indeed, the zeal and effectiveness with which proponents pursue this doctrine can contribute to the cult by making it seem more reasonable and reliable. However, there are many reasons to suspect that the emphatic dedication which some deterrence advocates show, and their outright dismissal of missile defense as a possible alternative, are part of an implicit moral condemnation of missile defense embodied in the ABM treaty. Other scholars and strategists have addressed the need for missile defense since the end of the Cold War, and some even describe the negative role of the “deterrence paradigm” in the development of national security strategy.⁴ However, those treatments tend to favor historical arguments and current policy debates, instead of applying international relations theory and sound moral reasoning to explain the origins and consequences of that paradigm.

Not only does the idea of a cult of deterrence shed light on the outlook for future conflict, but it also explains why the moral implications of deterrence have been largely ignored since the end of the Cold War. When Ronald Reagan announced in 1983 his plan to render nuclear weapons “impotent and obsolete,” there was a widespread debate over the moral merits of this proposal. However, the prevailing opinion at that time appealed to the logic of political realism, claiming that moral ideals are fine in theory, but that the political necessities of the Cold War did not permit policy-makers to act on them. The analysis presented in this thesis may in some ways support this conclusion, but it also demands that these issues be revisited in order to update the answers with current strategic realities. This review shows that a strategy based on Ballistic Missile Defense

⁴David B. H. Denoon, *Ballistic Missile Defense in the Post-Cold War Era* (Boulder: Westview Press, 1995). See also, James Frelk and Glen Tait, *Defending Against Ballistic Missile Attacks* (Washington, D.C.: George C. Marshall Institute, 1990).

(BMD) yields the most potential for defending the U.S. in accordance with moral values. Only the ABM treaty, with its implicit condemnation of BMD stands in the way of fulfilling this objective.

The ethical imperative codified by the ABM treaty calls for the maintenance of stability through MAD, despite the moral conflicts involved in that system. The moral dilemma of deterrence has long since been a concern for policy-makers, who occupy the unenviable position of juggling two very important but competing values. First, the moral authority of the United States is based on its adherence to moral principles. Second, the moral credibility of a deterrent force demands that potential aggressors believe decision-makers will not be restrained by moral principles from retaliating with nuclear force if attacked. By far the best way to maintain this balance is to develop weapons and doctrine which are both effective and morally justifiable, thereby yielding credibility and authority. However, the various doctrines of nuclear deterrence which the United States has employed have often failed to meet this requirement. I will argue, therefore, that the current policy is becoming less effective and harder to justify, primarily because the ABM Treaty undermines American credibility and authority.

The Moral Argument

As mentioned above, the effectiveness of a deterrent posture depends primarily on the extent to which potential aggressors believe that decision-makers can and will carry out their threats of retaliation if attacked. "Credibility" in the context of deterrence generally refers to the willingness of the deterrer to retaliate when attacked, despite the costs and risks retaliation entails, combined with the actual ability of a nation to do so. Thus, the most vicious threats of retaliation can be ineffective as deterrents if the aggressor does not believe that the deterrer is capable of backing up its threats. However, "moral credibility" represents a related quality which can be equally important. Instead of considering the risks and benefits of retaliation in the political or strategic sense, the moral credibility of a deterrent force depends on the willingness of responsible decision-makers to retaliate despite their moral reservations.

One salient example illustrates the importance of moral credibility to deterrent relationships better than any other. According to Robert Hughes, in his book, *SDI: A View From Europe*,⁵ President Ronald Reagan's 1983 speech announcing his intention to promote the Strategic Defense Initiative (SDI) had major repercussions on the security of America's European allies, who feared his commitment to their defense. Reagan's quest to render nuclear weapons "impotent and obsolete," combined with his now famous question, "wouldn't it be better to save lives than to avenge them?," completely shocked the NATO alliance, according to Hughes. In essence, they doubted the moral credibility of the American deterrent, fearing that Reagan would hesitate if his will were ever tested, allowing Europe to be overrun by the Soviets to avoid the morally unacceptable outcome of nuclear war.

Yet, beyond the strategic importance of moral credibility, moral reasoning is itself an important element of foreign policy which places strict limits on permissible behavior.

⁵Robert Hughes, *SDI: A View From Europe* (Washington D.C.: National Defense University Press, 1990), 5.

According to Michael Walzer, some actions evoke universal condemnation that goes beyond the realm of politically expedient or strategically sound: "the truth is that one of the things most of us want, even in war, is to act or to seem to act morally. And we want that, most simply, because we know what morality means."⁶ His seminal book, *Just and Unjust Wars*, begins with a chapter entitled "Against Realism" which eloquently details why political actions must be governed by objective ideals and principles. The alternative, according to Walzer, denies any claim one might make that another's actions are immoral. It is the relative nature of moral reality which forms the basis of political realism which Walzer refutes.

By showing that the laws of war are indeed binding, Walzer refutes the claims of the Civil War General Sherman that "war is hell" and that the only morally relevant decision in war is whether or not to undertake it. Although Walzer agrees that war is hell, he insists that it is a particular kind of hell, and that moral evaluations are always possible, if not necessary, to conduct war in an acceptable manner. The war convention, as Walzer describes it, is based on "our common morality" and provides a baseline for moral evaluations of strategy and conduct in war. Without such standards, Walzer claims, political self-interest and military necessity would be unconstrained and the realist claim that "in time of war, the law is silent," would be true after all.

The realist position, elaborated by David Hendrickson in his "Defense of Realism," sees "moral exhortation as something that is easily swept aside or distorted when it is in the interest of political communities to do so."⁷ The tradition of political realism is as rich and diverse as any other political theory, but at its core is a pessimism about the possibility of moral progress and human possibilities. As described by Robert

⁶Michael Walzer, *Just and Unjust Wars: A Moral Argument With Historical Illustrations*, 2nd ed. (New York: Basic Books, 1977), 20.

⁷David C. Hendrickson, "In Defense of Realism: A Commentary on Just and Unjust Wars," *Ethics and International Affairs* 11 (1997), 20.

Gilpin, realists stress that “in the world as it is, the final arbiter of things political is power. All moral schemes will come to naught if this basic reality is forgotten.”⁸ However, a more sophisticated form of realism known as “normative realism” allows for some considerations other than power to determine the course of political behavior, while maintaining the fundamental pessimism about human nature and progress.⁹

For the purposes of this thesis, Walzer’s Just War Theory and the tradition of political realism can both contribute to an understanding of the moral arguments against the ABM treaty. The current strategy of nuclear deterrence employed by the United States not only violates important elements of the Just War Tradition, but it also fails the realist’s litmus test of cost-benefit analysis. A missile defense system, on the other hand, would closely conform to the tenets of the war convention, while offering strategic benefits that clearly outweigh its costs. The ABM treaty, by denying the United States an opportunity to legally deploy a sophisticated national missile defense, fails the moral evaluations of both traditions.

These moral judgments are not subjectively dependent on the perspective of the individual making the moral evaluation, as some classical realists, such as Hans Morgenthau, would claim. They argue that any decision which fulfills the state’s primary moral obligation to maintain political power is just, and that most foreign policy decisions are made to achieve this purpose. However, Walzer shows how the Just War Criteria can be applied retroactively, by putting the analyst in the shoes of the decision-maker. In this sense, the method of analysis is the same for Just War theorists as it is for realists, who claim that statesmen behave rationally based on the incentives and consequences they

⁸Robert Gilpin, “The Richness of the Tradition of Political Realism,” in Robert Keohane, ed., *Neorealism and Its Critics* (New York: Columbia University Press, 1986), 304. See also, Hans J. Morgenthau, *Politics Among Nations*, 5th ed. (New York: Knopf, 1973).

⁹Patricia S. Wrightson, “Morality, Realism, and Foreign Affairs: A Normative Realist Approach,” *Security Studies* 5 (Winter 1995), 354-386.

expect from pursuing a given strategy. Whether or not one agrees that moral principles should be a primary part of this calculation, the benefits of missile defenses will be apparent. If, however, one agrees with Walzer's assessment of the Just War doctrine, these benefits will be even more profound.

Just War Theory

The origins of the moral dilemma posed by deterrence can basically be attributed to the Just War Theory, a collection of criteria which have been used over time to judge the relative merits of various armed conflicts. Strictly speaking, the Just War Tradition, as described by James Childress,¹⁰ is actually a collection of theories based on common morality that has developed over time. Just War Criteria carry the weight of objective natural laws, based on the logic and practice of sparing noncombatants from the violence of warfare.¹¹ This notion of noncombatant immunity yields strong deontological, or duty-based, implications which often directly contradict practical considerations. However, these obligations may not apply in the context of deterrence, because the object of evaluation, a threat to use force against noncombatants, is an intention conditioned upon the actions of an aggressor, which is slightly different from an intentional action. This difference may seem trivial in the realm of practice, but it can be essential in the moral realm, since it is difficult to hold people responsible for their unintentional behaviors.

According to the natural law tradition, intentions carry a moral weight independent of their consequences. This concept is codified by St. Paul's dictum: one

¹⁰James Childress, "Just War Theories: The Bases, Interrelations, Priorities, and Functions of Their Criteria," in Malham M. Wakin, ed., *War, Morality and the Military Profession* (Boulder: Westview Press, 1986), 256-76.

¹¹For a description of the Natural Law Tradition which emphasizes the Just War Criteria, see Joseph Boyle, "Natural Law and International Ethics," in Terry Nardin, and David Mapel, eds., *Traditions of International Ethics* (New York: Cambridge University Press, 1992), 112-135.

must not do evil that good may come of it.¹² Even if the evil is small by comparison to the good which it produces, intentional commission of evil is prohibited. Thus, this reasoning contradicts the utilitarian calculation rule, which simply says that actions are good to the extent that they produce good outcomes. Utilitarianism, then is a consequentialist theory because of the emphasis it places on the outcomes of an act as opposed to the underlying principles which it may or may not violate. The Just War Theory is an example of the application of duties and obligations which may sometimes compel one to act in a way that brings about sub-optimal outcomes.

However, the principle of double effect provides a modification of St. Paul's rule which some deterrence advocates say justifies the threat to harm innocents. According to this principle, an intentional act can often produce unintended side-effects, but these by-products are not subject to the same standards of morality as the intended outcome. This argument essentially says that because responsible actors would choose not to cause these negative side-effects if they could, they should not be held responsible for an outcome which they never intended to occur. By this logic, the Just War Doctrine outlaws *intentional* harm to humans, but not all *intentions* which might possibly produce this outcome as side-effects. Thus, intending to deter a nation from attacking is permissible, even if it requires an intentional nuclear retaliation should deterrence fail. Failure is one of many possible evil outcomes which both sides hope to avoid in their pursuit of nuclear deterrence.

In the case of deterrence, however, the principle of double effect has proven insufficient to excuse violations of St. Paul's dictum because nuclear deterrence violates the two tests of just intent: the countermeasures test and the nonfulfillment test. The countermeasures test asserts that if the evil outcome is indeed an unintended side-effect,

¹²Ibid., 118.

the actor who intends only good should attempt to mitigate that evil as much as possible. Deterrence, however, precludes mitigation of the negative threat, since this would undermine the credibility of the threat and make war more likely. Modern deterrence also fails the nonfulfillment test, since the evil is an essential part of the causal chain which brings about the good result. In other words, the evil of threatening innocent life is indeed a means of achieving the intended good of defense. If there were no chance of an attack on noncombatants (thus no evil side-effect), then the good outcome would not be possible.¹³ Thus, the principle of double effect is not sufficient for justifying the modern system of deterrence, though it does shed some light on the nature of this argument.

The countermeasures test provides a key insight into the nature of the prohibition against killing non-combatants: it is a *prima facie* duty of the kind described by W.D. Ross.¹⁴ Although such obligations can be overridden by other prevailing *prima facie* duties, the obligations imposed by the original duty do not simply disappear. Ross provides the following example to illustrate this point:

When we find ourselves justified in breaking, and indeed morally obliged to break, a promise in order to relieve some one's distress, we do not for a moment cease to recognize a *prima facie* duty to keep our promise, and this leads us to feel, not indeed shame or repentance, but certainly compunction, for behaving as we do.¹⁵

This compunction is what motivates actors to minimize the extent to which the original duty is violated. The demands of all *prima facie* duties remain present, even when they

¹³One possible way out of this problem would be if the deterrent threat is merely a bluff behind which there is no intention to retaliate. Although this might solve the problem of intending to do evil, such a bluff would require deception in order to be credible, which would itself be morally questionable, even if it were possible. In addition, this strategy would only make deterrence less evil for the people who know it is a bluff (the liars), who for security reasons would have to be few. Every other person in the deterrence process, though honest, would still be intending to do evil.

¹⁴W.D. Ross, "What Makes Right Acts Right?" in Charles W. Hudlin, ed., *Western Traditions in Moral Philosophy* (Dubuque: Kendall/Hunt Publishing Co., 1993), 169-181.

¹⁵*Ibid.*, 173.

are subsumed by other *prima facie* duties which may be more compelling in a given circumstance. In this sense, the Just War Theory is an attempt to balance the moral obligation of legitimate governments to defend their citizens with the natural desire to avoid needless killing.

There are two major components to the Just War Tradition, as it is generally understood: *jus ad bellum*, the authority to go to war, and *jus in bello*, permissible conduct in the pursuit of a just war.¹⁶ In deciding whether or not to go to war, certain practices have evolved over time which the Just War Doctrine demands that we follow. First, justification for going to war requires some type of *declaration* by a *legitimate authority*. Although this statement actually represents two important criteria of the Just War Tradition, in the context of deterrence the authorities in question are generally recognized nation-states, which exercise legitimate control over the weapons of their country.¹⁷ The declaration is not always a formal declaration of war by the legislature of a nation-state, as evidenced by declaratory policy statements which warn potential aggressors of retaliation should they choose to attack the United States.

Another criterion of the Just War Tradition is the pursuit of a *just cause* which motivates the nation to go to war. This requires a strong *prima facie* obligation in order to supersede the *prima facie* duty of non-maleficence. Self-defense is the only universally accepted just cause for war, but even war conducted in self-defense is only allowed when all other options for avoiding war have been exhausted. In other words, to respect the injunction against needless suffering, war must be the *last resort*, in the sense that there is no peaceful option that can accomplish the "just" goals effectively.

¹⁶Childress, "Just War Theories," 256-76. See also, James Turner Johnson, *Can Modern War Be Just?* (New Haven: Yale University Press, 1984).

¹⁷This point may actually prove to be a weakness of the Just War Doctrine, if the potential threats to nuclear deterrence include terrorists, rebels or other non-state actors. However, for the purposes of evaluating deterrence and missile defenses as national strategies, the state-centric Just War Doctrine offers the best framework, despite this weakness.

This leads to consideration of the expected outcomes which motivate the resort to arms. Although the Just War Doctrine permits heroic conflict in the face of terrible odds, it does demand that warfare be undertaken only when it shows a reasonable chance of assuring a successful outcome. However, this success need not, as Childress shows, require a military victory in the traditional sense, if one fights to defend one's principles. For example, Thucydides' rendition of the "Melian Dialogue" shows a society on the verge of annihilation which chooses to fight to the death rather than fall like another enslaved domino to the Athenian juggernaut. Although they had no chance of military victory, their success came in the act of resisting.¹⁸ In the context of deterrence, then, nuclear retaliation is in itself both a failure and a success, since it is only necessary when deterrence fails, yet it fortifies the credibility of the deterrent for the future.

The final criterion of *jus ad bellum* is proportionality. In this sense, decision-makers must believe that on the whole, more good will be done by a war than undone by it in order to justly undertake that war. Balancing the destructive potential of weapons (especially nuclear weapons) and the intentionality of their use is, according to Johnson, incredibly difficult, since total war is not always intended, though it is often difficult to avoid.¹⁹ In this criterion, there is a strong influence of utilitarian reasoning in the attempt to minimize negative outcomes. However, the Just War Criteria cannot be considered consequentialist in origins, despite this similarity, since the *jus in bello* criteria often require many lives to be sacrificed, if necessary, to abide by our duty to spare noncombatants. Such a loss would not be acceptable to most conceptions of utilitarian logic.

¹⁸Thucydides, "The Melian Dialogue" in Paul R. Viotti and Mark V. Kauppi, eds., *International Relations Theory: Realism, Pluralism, Globalism* (New York: Macmillan, 1993), 84-90.

¹⁹Johnson, *Can Modern Wars Be Just?*, 26.

The *jus in bello* criteria, proportionality and discrimination, govern the legitimacy of conduct within war, based on the same *prima facie* obligations to value human life. *Proportionality*, unlike its *jus ad bellum* counterpart, in this case refers to the amount of force used as compared to the minimum amount necessary in the pursuit of limited goals. This criterion is especially difficult to meet in the use of nuclear weapons, which have destructive capabilities which we cannot even predict accurately, such as fallout radiation and nuclear winter.²⁰

Also in the consideration of *Jus in Bello* is discrimination, which prohibits any use of force that does not accurately separate combatant targets from noncombatant innocents. Although various interpretations of the double effect principle have clouded the distinctions between intentional and foreseeable outcomes, it is clear that intentional attacks on noncombatants are prohibited by this tradition. Thus, the counter-value strategy of targeting, otherwise known as finite deterrence, is clearly out of bounds, because it calls for targeting cities to deter aggression. This example provides an important distinction between the rule-based approach and consequentialist reasoning, since finite deterrence offers beneficial consequences that might make it preferable to counter-force strategies. For instance, by raising the threshold of initiation and reducing the size of arsenal necessary to maintain an effective deterrent, some argue that finite deterrence might reduce the probability of war a great deal, even if such a war would be more harmful.

These Just War Criteria form the basis of a moral evaluation of deterrence, and in turn, the ABM treaty. If modern deterrence fails to meet the criteria for a just strategy of defense, then the United States would be obliged to seek alternative strategies which might better fulfill these demands, such as ballistic missile defense. If the ABM treaty

²⁰Harold Freeman, "The Effects of Nuclear War," in James P. Sterba, ed., *The Ethics of War and Nuclear Deterrence* (Belmont, CA: Wadsworth Press, 1985).

prohibits deployment of this particular alternative, regardless of its moral advantage, this might make the treaty difficult to justify. However, the moral standing of nuclear deterrence is not as simple to determine as the Just War Criteria might make it seem. Several important moral evaluations of the Just War Criteria provide exceptions to these seemingly ironclad obligations that highlight their nature as *prima facie* duties. Most notably, Michael Walzer offers an exception to the Just War Criteria, which he calls "Supreme Emergency."

Supreme Emergency: A Bridge Between Just War and Utilitarianism

According to this theory, extraordinary circumstances introduced by the conduct of war may necessitate temporary suspension of the Just War Doctrine if the danger is "imminent" and sufficiently grave as to have significant moral consequences. For example, the reputation of a military unit as invincible would not be morally significant enough to justify a violation of the war convention, but a threat to the very existence of a free society might. "It is possible to live in a world where individuals are sometimes murdered," according to Walzer, "but a world where entire peoples are enslaved or massacred is literally unbearable." For that reason, he says "utilitarian calculation can force us to violate the rules of war only when we are face-to-face not merely with defeat but with a defeat likely to bring disaster to a political community. But these calculations have no similar effects when what is at stake is only the speed or the scope of the victory."²¹ The concept of supreme emergency thus provides a "consequentialist safety valve on the rights-based boiler of the theory,"²² which allows Walzer to make evaluations based primarily on the rights of concerned individuals, while avoiding the absolute prohibitions which so constrain most deontological theories.

²¹Walzer, *Just and Unjust Wars*, 2nd ed., 268.

²²Michael Joseph Smith, "Growing Up With Just and Unjust Wars: An Appreciation," *Ethics and International Affairs* 11 (1997), 9.

Walzer defends the original decision to bomb German cities in the beginning of WWII, when the British were truly faced with an imminent and grave threat to the existence of their free society. However, later bombings, such as the fire-bombing of Dresden and the nuclear bombings of Hiroshima and Nagasaki, unjustifiably violated the Just War Convention's prohibition of indiscriminate bombing, since they were merely used to hasten an already-determined outcome. This raises the inevitable question of whether or not a supreme emergency existed during the Cold War of the type necessary to justify threatening innocent lives. It is clear in Walzer's work that he considers nuclear weapons, and the threat to use them, immoral: "Nuclear weapons explode the theory of just war ... our familiar notions about *jus in bello* require us to condemn even the threat to use them."²³

On the question of whether or not the Soviet threat was sufficient to warrant such a violation of the Just War Doctrine, Walzer argues that the Cold War scenario does indeed resemble a supreme emergency. However, his justification of nuclear deterrence strategies was not exactly glowing in its assessment:

[D]eterrence itself, for all its criminality, falls or may fall for the moment under the standard of necessity. But as with terror bombing, so here with the threat of terrorism: supreme emergency is never a stable position. The realm of necessity is subject to historical change. And, what is more important, *we are under an obligation to seize upon opportunities of escape, even to take risks for the sake of such opportunities*. So the readiness to murder is balanced, or should be, by the readiness not to murder, not to threaten murder, as soon as alternative ways to peace can be found.²⁴

This statement provides perhaps the most powerful moral argument in support of the present study. The ABM treaty, though perhaps necessary as a response to the Soviet threat, now prevents deployment of any alternatives to deterrence which could help the

²³Walzer, *Just and Unjust Wars*, 2nd ed., 282.

²⁴*Ibid.*, 283, emphasis added.

United States "escape" this moral dilemma. Despite the formidable risks involved in revoking the treaty, the U.S. is *morally obligated* to fully explore the alternative defense system, simply because the current system is so bad.

As Walzer indicates, this obligation to seek alternatives was present even in 1977, when the Soviet threat was most imminent. So, the current system of deterrence seems even less justifiable now, with the Russian military in disarray and an unprecedented lack of adversarial tension between these two great powers. The major mitigating factor of the Cold War which justified deterrence is now gone, and the United States faces no threat in the world which would be sufficiently grave to justify continued threats that hold citizens of both sides hostage. In fact, prudential concerns, which I will address later, strongly suggest that the greatest threats faced by the United States in the near future are exactly those which missile defense systems are meant to address.

Utilitarian Views of Deterrence

Before addressing the purely strategic aspects of missile defense in the post-Cold War era, another important moral tradition can also shed light on the continued desirability of deterrence. A purely utilitarian analysis, unlike Walzer's "consequentialism-in-extremity,"²⁵ focuses on the ends achieved by various strategies, neglecting the means by which these outcomes are achieved. Pure consequentialism, then, identifies good strategies as those that have beneficial outcomes and bad strategies as those that have bad outcomes. Using this framework, Stephen Lee attempts to defend nuclear deterrence against the moral threat posed by the Strategic Defense Initiative in his article, "Morality, the SDI, and Limited Nuclear War," which was written in 1986.²⁶

²⁵Hendrickson, "In Defense of Realism," 25. This label suggests that even Walzer, who is so dedicated to the principles embodied in the war convention, subscribes to the realist notion that political survival overrides those principles when the two interests are in conflict.

²⁶Stephen Lee, "Morality, the SDI, and Limited Nuclear War," *Philosophy and Public Affairs* 15 (Fall 1986), 15-43.

Although utilitarians and Just War theorists share common commitments to avoid war if possible and the duty/interest of a country to protect its citizens, they differ in the methods used to assess the moral value of given strategies. This difference can lead to drastically different conclusions on fundamental issues such as deterrence.

Lee applies consequentialist reasoning to analyze the "moral paradox" in which both of the traditional national security options, nuclear disarmament and nuclear deterrence, are morally unacceptable because of the negative consequences they could produce. Although Lee mentions the Just War Doctrine as one of the arguments against deterrence, he focuses more on the negative consequences caused by what he considers holding citizens hostage under the threat of force.²⁷ In the end, the weight of Lee's argument refutes the claim that SDI represents a way out of that paradox. He accepts the common claim that SDI would increase the likelihood of nuclear war, by decreasing stability in crisis situations, and balances this cost against the likely benefits provided by SDI. Although damage limitation, which he sees as the only goal of SDI, is a noble goal even by utilitarian standards, this goal must be subordinate to the ultimate strategic goal of preventing war, since without wars damage limitation would be unnecessary. Since taking one side's citizens out of the hostage-like situation would make war more likely by decreasing overall stability, the costs of SDI must certainly outweigh the benefits, according to Lee's analysis.

However, since this argument was made in the context of the Cold War, Lee's analysis must be updated to reflect the lack of an impending Soviet threat. In fact, his

²⁷Stephen Lee, "The Morality of Nuclear Deterrence: Hostage-Holding and Consequences," *Ethics*, 95 (April 1985), 549-66. In this case, Lee appeals to both consequentialist and non-consequentialist arguments to describe deterrence. In addition to evaluating a strategy in terms of its overall positive and negative consequences, Lee judges the extent of its compliance with rules which he believes will maximize beneficial outcomes. In other words, he applies a form of rule utilitarianism. The Just War Criteria can be effectively incorporated in this way, but only at the risk of forgetting the reasons for their development. Although they do tend to promote responsible warfare, the true basis of these criteria is deontological moral imperatives that often contradict the utilitarian goal of maximizing overall utility.

conclusion that SDI made war more likely is entirely based on the assumption that only a threat of force could keep the Soviet Union from invading West Germany. In essence, Lee's argument is a utilitarian equivalent of Walzer's, except that one emphasized the search for alternatives to deterrence, while the other stressed the danger involved with changing the system. Either way, it seems clear that such a threat is not imminent in the post-Cold War era, so deterrence must be less preferable now by Just War standards and by utilitarian logic as well, depending on how likely deterrence is to fail.

However, another utilitarian take on the morality of deterrence avoids this paradox altogether by evaluating that strategy strictly according to its consequences. Bernard Brodie offers an evaluation based on the consequences of the strategy itself, regardless of what rules it violates (act utilitarianism). In this light, the low economic cost of deterrence compared with missile defense combined with the questionable effectiveness of defensive systems makes deterrence the more efficient, effective, and therefore morally preferable strategy for defending the United States against a nuclear attack.²⁸ Brodie discounts the possibility of true damage limitation based on the technical limitations of missile defense technology: "to say that we can hope to shoot down three out of every five incoming RVs (re-entry vehicles) might be virtually meaningless if we are defending an attack aimed against cities, but it may spell huge success if the target system being defended is the retaliatory force."²⁹ However, he does not address the value of a defense system in the cases of accidental launch, or small scale attacks against populations for political purposes.

Perhaps most importantly, Brodie describes an important reason why the issue of missile defense should be re-assessed. "The main differences between those who tend to favor and those who tend to oppose the erection of an ABM system," he says, "lies in

²⁸Bernard Brodie, *War and Politics* (New York: Macmillan, 1973).

²⁹*Ibid.*, 391.

their differing expectations concerning the probability of a strategic thermonuclear exchange."³⁰ If one believes nuclear weapons are too frightening for anyone to ever use, then the ABM treaty is a great way to preserve stability. Thus, Brodie's observations of slow proliferation and few risks to the stable deterrent balance were not unjustified in 1973. However, if proliferation of nuclear weapons increases to the point that small powers or even non-state actors can possess nuclear weapons, the assumption that "nuclear weapons do act critically to deter wars between the major powers"³¹ becomes much less useful. Thus, the effectiveness of deterrence has a moral value of its own according to utilitarian analysis, and strategies that make deterrence more or less effective are essential to the utilitarian analysis of missile defense.

Jeffrey Zink assesses the likelihood of deterrence failures in the post-Cold War environment in his article, "The End of the Triad: Morality, Reality, and the Ideal Deterrent."³² Using moral reasoning which combines utilitarianism with the Just War Doctrine, he concludes that "credibility" and "survivability" are the essential criteria for determining the "Ideal Deterrent." However, these criteria suggest that Zink's analysis might have been better tailored to an assessment of the morality of missile defense. If current technology is any indication, it seems likely that a missile defense system could fulfill Zink's moral criteria even better than the deterrent structure he prescribes.

The strategic triad of nuclear forces, which depends on strategic bombers, inter-continental ballistic missiles (ICBMs), and sea-launched ballistic missile submarines (SLBMs), is no longer necessary to maintain an effective deterrent, according to Zink. Recent advances in SLBM technology, notably the Trident D-5 class of

³⁰Ibid., 379.

³¹Ibid., 430.

³²Jeffrey Zink, "The End of the Triad: Morality, Reality, and the Ideal Deterrent," *Naval War College Review* 47 (Summer 1994), 51-66.

submarine, have ensured that these weapons are sufficiently survivable and credible to render the other two legs of the triad obsolete. The credibility to which he refers requires a deterrent force to be "sufficient to cause a potential aggressor to decide against the advisability of his contemplated action," while survivability is achieved by a force that is "capable of absorbing a massive first strike while retaining the means to retaliate effectively."³³

Based on these criteria, Zink determines that the SLBM force is both morally and strategically superior to the other legs of the triad, because it is the most survivable and does not depend on a strategy of "rapid response." This type of response strategy, which advocates launching missiles on warning in order to avoid having them destroyed in their silos, is morally unacceptable, according to Zink. Vulnerable weapons require a "use it or lose it mentality" which denies the National Command Authority (NCA) the possibility of rational, calculated response. Sufficient reflection is only possible, Zink states, if the option of absorbing the enemy's attack completely is available before ordering a response. This reflection is absolutely necessary to promote crisis stability and to ensure that the right moral decision on the use of nuclear weapons is always available. In this way, Zink's ideal deterrent, "a withholdable, credible force capable of holding at risk a wide variety of potential adversaries," is actually best fulfilled by a missile-defense system.

Such a defense would not only improve the survivability of weapons, but it would also augment the credibility of any deterrent force, whether conventional or nuclear. By allowing the NCA to order retaliation after absorbing the full force of an enemy's attack, BMD decreases the likelihood that a momentary hesitation would have seriously destabilizing effects. Plus, it can make the potential aggressors decide against the advisability of attack by denying them the benefits such an attack might achieve. In this

³³Ibid., 57.

way, missile defense could make a conventional deterrent even more credible than the current nuclear deterrent and morally preferable, as well.

Thus, Zink's moral evaluation of current deterrent forces lays the foundation for a strategic analysis of missile defense as compared to continued reliance on deterrence alone by providing the link between strategic stability and moral responsibility. Utilitarian calculations and the Just War Tradition share commitments to avoiding war whenever possible and limiting the damage caused by war, although they approach these questions from different perspectives. The actual extent to which missile defense or deterrence can prevent or limit the conduct of war depends on strategic calculations best addressed by international relations theory. Although Zink develops effective criteria by which to judge a deterrence strategy, he fails to apply those criteria to alternative strategies, assuming that no other viable options exist. This shows one way that the cult of deterrence has shaped the moral discourse on deterrence, which I will refer to later. But first, a careful analysis of the strategic considerations, as demanded by utilitarian reasoning and Just War Theory, casts doubt on the continued effectiveness of deterrence and the utility of the ABM treaty which perpetuates it.

The Strategic Argument

With few exceptions, policy-makers generally rely on a utilitarian type of reasoning to justify their decisions on strategic issues. This is not to say that rational cost/benefit analysis is necessarily universal or even common in decisions of foreign policy, but merely that strategic decisions rarely rely on deontological reasoning for their justifications.³⁰ Although war avoidance is clearly a noble goal which any moral strategy should pursue, it is unclear whether the ABM treaty serves as a guarantee of peace through deterrence, or a roadblock preventing accurate adjustment to the changing security environment. To answer this question, we must first understand the logic behind the ABM treaty, as compared to how it is applied in the current system of deterrence. Then, the impact of changes in U.S.-Russian relations and the proliferation of missile and weapons technology can be addressed. Next, the offense-defense balance is shown to have changed dramatically, making deterrence a very unstable system of defense. Finally, the ramifications of revoking the treaty should be apparent, as well as the reasons the treaty has endured so long.

The Logic of the ABM Treaty and U.S.-Russian Relations

The ABM treaty was signed in 1972 as a vital element of the arms control agreements between the United States and the Soviet Union. Its primary goal was to ensure a status of mutual vulnerability between the superpowers so that one side could not exploit reductions in the other's arsenal by "breaking out" of the agreements. The greatest fear was that one side would break out suddenly to pursue a nuclear dominance strategy, which would allow it to strike at the other side with impunity. Moreover, the skyrocketing costs of the international arms race combined with the resultant fears of war to provide strong motivation for the superpowers to pursue an ABM treaty as part of arms control agreements.

³⁰This is precisely the reason that Reagan's announcement on March 23, 1983 was so unexpected and so shocking. In the balance between moral authority and credibility mentioned above, credibility usually wins out.

The theoretical foundations of the ABM treaty are based in realist explanations of international politics. The treaty assumes that both states are self-interested and unitary actors competing for security in a zero-sum world. If one side gains too much, the other is necessarily imperiled. The treaty is a good faith effort by both nations to forward their own security, with the assumption that they would only participate in the treaty as long as it was beneficial to each nation's security interests. In fact, Article XV of the treaty specifically authorizes both signatories to withdraw unilaterally from the agreement if they deem it necessary for security purposes.³¹

Another important aspect of political realism which is evident in the ABM treaty is the tendency for states to continually balance power capabilities and for balances to continually form and reform in international politics.³⁶ Perhaps the most renowned advocate of this prediction is Kenneth Waltz, whose *Theory of International Politics* exemplifies the bipolar zero-sum game which characterized the Cold War.³⁷ The implications of this work for ABM treaty modifications and for the prospects for peace in the post-Cold War era are essential. First, if the United States provokes Russia or any other nations in the world by appearing aggressive, then they will be motivated by insecurity to ally against the U.S.. Missile defense would then seem like a bad idea if it would provoke such a balancing reaction. The other alternative offered by the balance-of-power theory would be what Waltz called "internal balancing" or a military build-up to counter the external threat posed by another's fortification. It is this second option which is generally perceived to be the most likely reaction to an American missile

³¹This provision demands a six month notice period before this withdrawal can take effect. ABM Treaty, Internet site: www.acda.gov/treaties/abm.htm (downloaded 8 June, 1997).

³⁶However, by no means is this prediction universally applied by all realists. In fact, some realists, typified by Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981), predict exactly the opposite: that balances of power will be rare and dangerous, and that states will try to avoid them.

³⁷Kenneth Waltz, *Theory of International Politics*.

defense fortification, especially with the precarious state of arms control agreements such as START II in Russia.

Advocates of arms control still refer to the ABM treaty as a "fundamental pillar of U.S. security policy."³⁸ In fact, Jack Mendelsohn and John B. Rhinelanders go as far as to call it "clearly the most important U.S.-Russian arms control agreement presently in force." The impact of the treaty, according to these authors, is clear:

By severely limiting strategic ABM systems, the treaty assures both countries that *their nuclear retaliatory forces retain full deterrent capability* and that, in the absence of any meaningful defensive challenge, these forces will remain effective *even as significant reductions are undertaken*. Without this confidence in their ability to retaliate, it is unlikely that either Washington or Moscow would have agreed to the remarkable reductions in nuclear arms that have taken place in recent years.³⁹

This statement eloquently portrays the most popular defense of the ABM treaty: by ensuring the security of Russia from American attack, this treaty has paved the way for significant reductions in nuclear arsenals, which anyone who fears nuclear war should appreciate.

However, the future of arms control is not based simply on Russian views of U.S. intentions. During the Cold War, political-military necessity drove both superpowers to fund huge militaries in order to maintain the balance of power. With the end of the Cold War, Russia faces a new set of economic problems and has conceded the military advantage to the United States. The Russians have agreed to a schedule of arms reductions, in part because they do not believe that such a move would unreasonably jeopardize their security, and also because economic necessity demands it. For this

³⁸Spurgeon M. Keeny, Jr., "The Theater Missile Defense Threat to U.S. Security," *Arms Control Today* (September 1994), 3.

³⁹Jack Mendelsohn and John B. Rhinelanders, "Shooting Down the ABM Treaty," *Arms Control Today* (September 1994), 8, emphasis in original.

reason, it is highly unlikely that revoking the ABM treaty would automatically lead Russia to resist all further attempts at arms control. In fact, recent reports indicate that economic constraints might make further reductions inevitable.⁴⁰

Regardless of Russia's financial and military status right now, it is clear that future international cooperation demands that the United States comply with current binding treaties. In attempting to strike a balance between stable deterrence and protection against ballistic missile attack, recent efforts have focused on Theater Missile Defense (TMD) systems, which target intermediate-range missiles but are theoretically incapable of threatening ICBMs or other superpower deterrent forces. In this sense, a major political effort has been made to convince the Russians that TMD can be made in a way that does not threaten the ABM treaty or Russian interests in a stable deterrent. However, even after the renegotiation of the treaty accomplished between President Clinton and President Yeltsin, many fear that the ABM treaty has already been effectively gutted.⁴¹

Ironically, the staunchest critics of missile defense systems provide a perfect justification for revoking the ABM treaty in their belated and dogmatic defense of it. According the assessments in *Arms Control Today*, the journal of the Arms Control and Disarmament Agency (ACDA), these modifications to the ABM agreement "effectively render the treaty a dead letter."⁴² As long as TMD systems are capable of threatening strategic ballistic missiles, they are fundamentally inconsistent with the spirit and the letter of the ABM Treaty. The problem is that any effective TMD system would also

⁴⁰Michael R. Gordon, "Premier of Russia Cuts Budget 20%," *The New York Times*, May 22, 1997, A1. In this article, Gordon describes how some Russian soldiers have not been paid in months, and the lack of safety precautions has led to questions of upkeep on the nuclear weapons that are still in force. Although I have made a point to emphasize the low costs of nuclear deterrence compared to conventional or ballistic missile defense strategies, the costs of nuclear weapons are still high, and the maintenance may yet prove too much for the cash-strapped Russian government.

⁴¹Keeny, "The Theater Missile Defense Threat to U.S. Security," 3. and Mendelsohn and Rhineland, "Shooting Down the ABM Treaty," 8.

⁴²Mendelsohn and Rhineland, "Shooting Down the ABM Treaty," 10.

have some value against strategic ballistic missile attacks.⁴³ As John Pike and Marcus Corbin say, "the ultimate consequence of the administration's decision to unilaterally test theater missile defense (TMD) systems that clearly violate treaty prohibitions means the ABM treaty may soon become irrelevant."⁴⁴

The reason for this concern over treaty compliance is readily apparent to advocates of missile defenses and critics alike: it threatens American *credibility*. Credibility in this case refers to America's trustworthiness in treaty negotiations in the future and its ability to legitimately judge others based on their adherence to such conventions. On the surface, it might seem that backing out of the ABM treaty would damage American credibility more than staying in would, since Russians might believe that the U.S. signed the treaty with the intention of "breaking out" when the time was right. Alternatively, they might believe that America lacks commitment when it comes to deterrence and international accords in general. However, further inspection shows that neither of these positions would be accurate.

First, there are many different ways such a revocation can occur, and some pose less of a threat to credibility than others. According to Robert Putnam, "involuntary defections" from treaties are common in democracies where the basis of power is divided between different branches or factions within a government.⁴⁵ If a Congress dominated by Republicans were to revoke its consent to the ABM treaty, a democratic President could very easily object on the basis of treaty obligations and needless defense spending. In fact, these objections have played important roles in the partisan debates over this issue, so much so that the true merits of a missile defense system are often overlooked.

⁴³Keeny, "The Theater Missile Defense Threat to U.S. Security," 7.

⁴⁴John Pike and Marcus Corbin, "Taking Aim at the ABM Treaty: THAAD and U.S. Security," *Arms Control Today* (May 1995), 3.

⁴⁵Robert Putnam, "Diplomacy and Domestic Politics: the Logic of Two Level Games," *International Organization* 42 (Summer 1988) 427-461.

However, the Congress could still revoke the treaty despite Presidential objections, providing a perfect example of what Putnam called an involuntary defection. The clear implication of his work indicates that such a division might actually serve to strengthen the position of the President in future negotiations, rather than damage his credibility. Although it might make cooperation more difficult if others doubt the unified commitment of the American government, it is clear that such a de-certification of the ABM treaty by Congress would be less damaging than would a Presidential policy.

In fact, Congress may even be "forced" to take this action by domestic political pressure, if the notion of defense continues to resonate politically. Owen Harries, in his article, "Bob Dole's Calculated Pragmatism,"⁴⁶ suggests that the Republican Presidential candidate should have emphasized missile defense more during his campaign. He claims that the issue will resonate politically and appeal to a variety of different opinions on the proper course of foreign policy. The role of Congress, then, could be to respond to this "general desire for greater security," while the President remains committed to maintaining a good relationship with Russia. Thus, credibility is not necessarily threatened by American withdrawal from the ABM treaty, and may even be improved, by Congress being loyal to constituents' views.

In addition, Michael Krepon shows how tinkering with the ABM treaty to fit more and more capable versions of TMD into it can damage relations more than backing out would. He says, "Broad and permissive legal interpretations of the ABM treaty were unacceptable when the superpowers were mortal enemies; they are even more so now that the United States and Russia are trying to forge a friendship."⁴⁷ Credibility is more essential now than it ever has been, if the cooperative atmosphere with Russia is to

⁴⁶Owen Harries, "Bob Dole's Calculated Pragmatism," *New York Times Magazine* (September 22, 1996), 71.

⁴⁷Michael Krepon, "Are Missile Defenses MAD?" *Foreign Affairs* 74 (January/February 1995), 24.

continue. Moreover, transparency of intentions in a deterrent situation is absolutely essential to effective communication. As one group of Air Force officers put it, "the most dangerous course of action is to publicly proclaim adherence to the treaty while applying creative interpretations that do violence to its meaning."⁴⁸ Weakened credibility not only damages America's ability to forward its interests through cooperative treaties and act as a legitimate member of the international community of law-abiding states, but it may even make conflict more likely by fostering mistrust and making deterrent threats less convincing.⁴⁹

Revocation of the ABM treaty would clearly have negative consequences that would be impossible to overlook. However, they are at the same time, unavoidable. As TMD technology continues to improve, distinctions between theater and strategic ballistic missile defense will become even less clear than they are now. The only difference is that with the treaty in force, such confluence of capability will have a destabilizing effect, while active pursuit of a missile defense would encourage such progress. There is, however, one other possible strategy which might yield the same benefits, both strategically and morally, if implemented correctly: unilateral nuclear disarmament by the United States.

Many scholars and strategists alike have called for the United States to adopt a strategy of Unilateral Disarmament (UD). Abandoning nuclear weapons altogether, in

⁴⁸Charles Shotwell, Joginder Dhillon, and Deborah Pollard, "Ballistic Missile Defense for the Twenty-first Century: At the Crossroads of Global Security," *Airpower Journal* 8 (Special Edition 1994), 51.

⁴⁹Freidrich Kratochwil and John Gerard Ruggie offer an interesting counter to this analysis in, "International Organization: A State of the Art on an Art of the State," *International Organization* 40 (Fall 1986), 753-775. They argue that violations of an international norm do not necessarily invalidate the norm, even if they are often and repeated. Using the example of drunk driving, they show that norms are still in place whether anybody obeys them or not. In this case, though, the commitment to honor obligations under the ABM treaty does not enjoy this status, since the regime was formed for the sole purpose of forwarding the interests of its signatories. If one side is forced to withdraw from this arrangement for national security purposes, the treaty was designed so that such a withdrawal could be accomplished legally and openly, without either side feeling betrayed or misled.

addition to the obvious cost benefits it entails, would also greatly reduce the destructive potential of nuclear war, should that occur. A purely utilitarian calculation would favor the less destructive means of war fighting, which would also conform to the Just war Doctrine at least as well as BMD. Strategically, though, UD suffers from the same problem which faced ballistic missile defense during the Cold War: increasing the threat of war and destabilizing the international system.

A strategy of Unilateral Disarmament by the U.S. would augment the greatest threat to nuclear safety (proliferation) even more, since every nuclear nation would then possess the means to blackmail the U.S. no matter how limited its nuclear capacity. Even if America's conventional deterrent could by itself replace the nuclear one in destructive capability, this would leave the U.S. dependent on an economically disadvantageous strategy, which could be disastrous in the long run, should another arms race erupt. By drastically increasing the value of a nuclear weapon in the hands of a revisionist state, UD might actually increase the likelihood of an initial attack. Although conventional response would save lives in the attacking country, the probability of future aggression would then rise even faster. Thus, this potential alternative to BMD fails the strategic and utilitarian analyses and offers no real advantage over missile defense in terms of compliance with the Just War Doctrine.

Proliferation of Missiles and Weapons Technology: Deterrence After the Cold War

Perhaps even more important than the economic constraints on Russian foreign policy, the end of the Cold War has caused a great deal of concern among strategists and scholars alike that proliferation will accelerate, and that deterrence failures may become more and more likely as this trend continues. Thus, the nuclear deterrence system which so admirably maintained the balance between the Cold War superpowers may or may not be applicable to a multi-polar world in which many different kinds of states attempt to

employ deterrence in a variety of relationships and situations. Before describing the different groups of proliferation pessimists and deterrence optimists, the nature of proliferation in the current environment merits significant attention on its own.

First, the types of proliferation which concern this study are not just limited to proliferation of nuclear weapons. The Missile Technology Control Regime (MTCR) is a fundamental element of proliferation control, which attempts to limit the export of ballistic missiles and technology to developing countries. Steve Fetter's article, "Ballistic Missiles and Weapons of Mass Destruction," showed a clear increase in the rate of ballistic missile proliferation, and linked it to the spread of weapons of mass destruction.⁵⁰ Perhaps more importantly, Stephen R. David shows that the states which aggressively pursue nuclear weapons proliferation despite international pressure against it are also the states most likely to be hostile to America: Iran, Iraq, North Korea, Syria, and Libya, for example.⁵¹ These two studies combine to tell a grim tale about the prospects of stable deterrence relations with the new nuclear powers and the importance of ballistic missile defense. Any weapon of mass destruction (WMD), mated to a ballistic missile of sufficient range, could be deadly to American interests overseas if it falls into the hands of one of these "rogue" nations.

Some scholars offer a more optimistic assessment of proliferation, describing it not as a terribly destabilizing trend in international relations, but as a stabilizing trend which brings peace to the nations which possess them. Instead of restricting proliferation of nuclear weapons and isolating proliferating countries, perhaps the current nuclear powers should celebrate the modernization of foreign defense arrangements. With the spread of nuclear weapons, deterrence systems such as the one that characterized the Cold

⁵⁰Steve Fetter, "Ballistic Missiles and Weapons of Mass Destruction: What is the Threat? What Should Be Done?" *International Security* 16 (Spring 1992), 5-42.

⁵¹Stephen David, "Risky Business: Let Us Not Take a Chance on Proliferation," *Security Studies* 4 (Summer 1995), 774.

War might also spread, bringing restraint to hostile nations and stabilizing international politics by making war less likely. The proponents of this position are called deterrence optimists, and they represent a significant movement in the scholarly work on deterrence, despite the warnings of proliferation pessimists, who see conflict becoming more likely as nuclear weapons spread. An excellent analysis of the political consequences of nuclear proliferation is found in *The Spread of Nuclear Weapons: A Debate*, which outlines both of the most prominent scholarly positions on this issue, as presented by Kenneth Waltz and Scott Sagan.⁵²

First, "the quintessential deterrence optimist," Kenneth Waltz, applies his version of neorealism to show that structural factors will significantly constrain new nuclear states, making them less likely to initiate war than they were before possessing nuclear weapons. This theoretical model assumes that states are rational, unitary actors, concerned primarily with security issues due to the inherent vulnerability of a self-help system in which survival is not guaranteed. Consistent with the balance-of-power theory mentioned above, Waltz still treats nation-states as the primary actors in international politics, responding to changes in the structure of the international system by maintaining a balance of military capabilities.⁵³ One cheap and easy way small states can drastically increase their military power, according to this reasoning, is to develop nuclear weapons.

As a potent force equalizer, nuclear weapons increase the costs of aggression against a nuclear power to unacceptable levels, and in so doing make increased security easy and inexpensive for the states that achieve nuclear capability.⁵⁴ In addition, the

⁵²Scott Sagan and Kenneth Waltz, *The Spread of Nuclear Weapons: A Debate*, 2. See also, Peter Lavoy, "The Strategic Consequences of Nuclear Proliferation," *Security Studies* 4 (Summer 1995), 695-753.

⁵³Kenneth Waltz, "More May Be Better," Ch. 1 of *The Spread of Nuclear Weapons: A Debate*, 14.

⁵⁴Kenneth Waltz, "Nuclear Myths and Political Realities," *American Political Science Review* 84 (September 1990), 731-744.

introduction of a nuclear calculation into any conflict will restrain both parties by provoking their fears of escalation to nuclear war. De-escalation is even a possibility, according to Waltz, if both sides are sufficiently intimidated by the possibility of a nuclear conflict. Thus, the introduction of a ballistic missile defense system, according to the deterrence optimists, could be destabilizing because it might lead decision-makers to believe that a nuclear conflict is winnable. Other deterrence optimists, including Bernard Brodie and John Mearsheimer, believe that restraint is possible in the presence of nuclear weapons, but they limit their optimism to specific cases in which a stable deterrence relationship between two nuclear powers can be established.⁵⁵

Proliferation pessimists, on the other hand, emphasize the possibility of deterrence failures, which increase dramatically as the number of countries possessing nuclear weapons grows. There are, however, two distinct variations of pessimism, which depend in part on the way such scholars view the record of deterrence in the past, either positively or negatively. "Old pessimists," according to the characterization offered by David Karl,⁵⁶ saw the major declared nuclear powers as responsible and experienced guardians of the nuclear secret, with the money and resources to maintain nuclear arsenals effectively. Smaller states, such as those attempting to achieve nuclear capabilities in defiance of the NPT treaty, could not safely sustain a nuclear arsenal in this view because of lack of expertise, financial resources to fund extra safety measures, and facilities for safe and secure storage of these weapons. Thus, as Karl portrays them, "old" proliferation pessimists emphasized the differences between new nuclear powers and the traditional

⁵⁵John J. Mearsheimer, "Back to the Future: Instability in Europe After the Cold War," in Michael E. Brown, Sean M. Lynn-Jones, and Steven E. Miller, eds., *Perils of Anarchy: Contemporary Realism and International Security* (Cambridge: MIT Press, 1995), 78-129. He argues that limited nuclear proliferation to Germany, if managed properly, could restore some of the stability lost when the Cold War ended and the bipolar structure was replaced with a less stable, multi-polar system.

⁵⁶David Karl, "Proliferation Pessimism and Emerging Nuclear Powers," *International Security* 21 (Winter 1996), 87-119.

major nuclear powers (a distinction codified in the NPT treaty) which made the latter more qualified to possess the technology because of their established commitments to safety, security, and effective deterrence.

One important example of this logic is found in the work of Stephen David. He emphasizes the differences between states that could lead to deterrence failures, decrying the current overconfidence in the continued effectiveness of deterrence:

[W]hile states may be alike in many respects, they are also very different. Most important, leaders from different cultures may view the relationship between sacrifice and gain very differently than is the case in the West. Since deterrence relies on convincing a potential aggressor that the costs of an action will outweigh the gains, miscalculating that assessment carries grave risks...The threatened loss of even a few cities would be sufficient to deter the United States from virtually any action short of defense of the homeland. Neither I nor Waltz can be certain that a similar threat would deter all of our potential adversaries.⁵⁷

This line of reasoning is often critiqued as being unreasonably ethnocentric, portraying proliferating states as "Crazy States" when in fact they are no less reasonable than any other state in the international system.⁵⁸

Keith Payne's article, "Post Cold War Deterrence and Missile Defense," responds to this concern directly.⁵⁹ Contrary to the characterization of "old" pessimists described by Karl, "old" pessimism does not necessarily rely on ethnocentric demonizations of proliferating nations in order to make them a threat to the United States. Payne emphasizes the different *relationships* which will be formed as a result of proliferation, showing why the Cold War scenario of deterrence was indeed unique:

⁵⁷Stephen David, "Risky Business: Let Us Not Take a Chance on Proliferation," 774.

⁵⁸This ethnocentric critique is developed in Robert Wright's "Crazy State," *The New Republic* (December, 1994) Internet site: www.fas.org/pub/gen/mswg/starwars/abm007.htm (downloaded May 7, 1996). See also, Brahma Chellaney, "Naiveté and Hypocrisy: Why Antiproliferation Zealotry Does Not Make Sense," *Security Studies* 4 (Summer 1995) 785.

⁵⁹Keith Payne, "Post Cold War Deterrence and Missile Defense," *Orbis* 39 (Spring 1995), 201-223.

In the post-cold war environment...the increasing number of countries that may need to be deterred, and the general lack of knowledge, understanding, and empathy for their leaderships must increase the prospects for misunderstanding, miscommunication, and misjudgments, thereby reducing the confidence that the West can place on policies of deterrence. That is not because leaders of these countries are more likely to be "irrational." Rather, it is because those conditions that can contribute to deterrence --namely, mutual understanding, close mutual attention, communication, and a shared unwillingness to risk everything for some transcendent goal-- are unlikely to apply consistently.⁶⁰

The conditions Payne describes show exactly why deterrence could be effective during the Cold War, but may not be so effective in the new deterrent relationships that are about to form.

The "new pessimists," according to Karl, focus on similarities between new nuclear powers and old ones, while the "old pessimists" rejoice in the technological capabilities of the established nuclear powers and their commitment to stability. This new group portrays the same historical experience of the Cold War as a series of accidents and near-catastrophes which indicate recurrent problems of organizational behavior and misperception. Thus, they claim that all deterrence systems are inherently dangerous. As Scott Sagan writes,

the actual behavior of new proliferators will be strongly influenced by military organizations within those states, and ... the common biases, rigid routines, and parochial interests of these military organizations will lead to deterrence failures and accidental uses of nuclear weapons despite national interests to the contrary.⁶¹

Sagan thus refutes Waltz's deterrence optimism and "old" proliferation pessimism at the same time, by showing that these problems are significant and universal.

⁶⁰Ibid., 212.

⁶¹Scott Sagan, "More Will Be Worse," Ch. 2 of *The Spread of Nuclear Weapons: A Debate*, 86.

The most common element of organizational analyses of deterrence and proliferation focuses on civil-military relations as a threat to effective deterrence and a likely cause of nuclear accidents. Sagan bases his pessimism in part on the conflict-prone tendencies of military members, their need for bigger and better weapons, and reluctance to admit fault which can lead to accidents. However, a better analysis of this civil-military dynamic is presented by Peter D. Feaver, who assesses the role of the military as a bureaucratic entity with specific and unique interests, primary among them autonomy.⁶² Although both can be critiqued for treating individuals within the military as functionally similar based on their positions alone, Feaver's analysis at least describes the quest for autonomy as a function of the trust cultivated by a highly professional military. Moreover, Feaver allows a more accurate portrayal of the individuals within that organization, seeing them as responsible servants dedicated to the security of the nation, though sometimes guilty of over-zealousness in their pursuit of a reliable and effective force.

Karl argues that both "old" and "new" proliferation pessimists misconstrue the behavior of new nuclear powers and exaggerate the risks proliferation poses to the United States. As mentioned above, "old" proliferation pessimists are often guilty of ethnocentrism, according to Karl, in portraying different cultures as dangerously aggressive and perpetuating a "U.S. vs. the world" type of mentality. "New" proliferation pessimists, on the other hand, often err too far on the other extreme, assuming that because the superpowers had problems with nuclear weapons during the Cold War, proliferating countries must eventually face the same obstacles. In fact, Karl says that the Cold War was a singular event in history which featured direct confrontation between two superpowers engaged in a competitive arms race and a deep ideological division. New

⁶²Peter D. Feaver, *Guarding the Guardians* (Ithaca: Cornell University Press, 1993).

nuclear powers may not face the same problems in their deterrent relationships, and may also have learned from past mistakes.

Although this is certainly a compelling critique of some pessimist literature, the examples highlighted here clearly respond to Karl's concerns. Payne showed that one can be uncertain about the threat of attack without being ethnocentric, because the dynamics of deterrence have changed. One need not portray the leaders of new nuclear states as "suicidal terrorcrats"⁶³ to doubt their commitment to the logic of deterrence. Also, Sagan's analysis provides specific reasons why the common problems of nuclear deterrence might be more pronounced in new nuclear states. Primarily, he cited effective civil-military relations as a goal most nations fall short of.⁶⁴ Finally, in defense of proliferation pessimism, states must ask how much faith they are willing to place in the optimistic portrayals of states responding rationally to international factors. As Lavoy points out, "even the staunchest deterrence optimists would cringe if some countries acquired nuclear weapons."⁶⁵ Apparently, there is still some reason for everyone to fear deterrence failures.

The literature on proliferation can be summed up as a compromise between the traditional tenets of political realism and the organizational skeptics who doubt that states act rationally and unitarily. Deterrence is a perfect case for applying the methodological tool of conditional generalization, wherein one tries to recognize the limits of a particular generalization, and then makes further generalizations based on relevant context and conditions. Waltz claims in *Theory of International Politics*, that his is a theory of political behavior, not necessarily an explanation of foreign policy decisions.⁶⁶ In this

⁶³William Safire, "Anti-Missile Issue" *New York Times*, March 1996, A23.

⁶⁴See also, Peter D. Feaver, "Optimists, Pessimists, and Theories of Nuclear Proliferation Management," *Security Studies* 4 (Summer 1995), 754-72.

⁶⁵Lavoy, "A Review" 716.

⁶⁶Waltz vehemently rebuts any application of the theory as an explanation of foreign policy, but

case, his analysis may indeed have been useful. In terms of proliferation, states will act rationally in their decisions whether or not to pursue nuclear weapons, consistent with Waltz' neorealism.

However, the practice of deterrence is a political process which differs from the decision to proliferate in many important ways. First, as Payne points out, deterrence is a relationship which must be cultivated and maintained. Possession of nuclear weapons does not magically make all of the problems of economic and political turmoil in small nations disappear. As Sagan and Feaver show, an overly realist analysis of deterrence will overlook the important organizational and domestic factors which can cause accidents and shape foreign policy decisions. As much as Waltz would like to treat all states as functionally similar, responding to the same environment according to their positions in the international system, even he is forced to distinguish between nuclear haves and nuclear have-nots.⁶⁷

In this light, it seems reasonable to assume that states will act rationally in their decisions to pursue or not to pursue nuclear weapons programs and ballistic missile delivery systems, but that assumption may be less useful when evaluating the practice of deterrence, because of the foreign policy dynamics described by Sagan and Feaver. Although not all deterrence optimists take the same track as Kenneth Waltz, they do share a faith in the decision-making processes of new nuclear nations which seems increasingly doubtful as proliferation continues.⁶⁸ An important difference, then, between these two

Colin Elman's article, "Horses for Courses: Why *Not* Neorealist Theories of Foreign Policy?" *Security Studies* 6 (Fall 1996), 660-691, points out that not only is this line between behavior and foreign policy difficult to draw, but that several of the examples Waltz himself cites in *Theory of International Politics* are actually foreign policy decisions, and not aggregate behaviors, as Waltz claims to explain.

⁶⁷Charles L. Glaser, "Realists as Optimists: Cooperation as Self-Help," in Michael E. Brown, Sean M. Lynn-Jones, and Steven E. Miller, eds., *The Perils of Anarchy*, 377-420. Glaser makes this point in a footnote (p. 391), crediting the original thought to Joseph Nye, Jr.

⁶⁸Granted, not all deterrence failures are necessarily failures of deterrence theory. However, if our goal is a moral and strategic evaluation of deterrence as a means of preventing nuclear attack, the theoretical implications of a failure are irrelevant. Preventing deterrence failures, whether they are

camps is the extent to which they believe that the NPT regime or other techniques will be successful in preventing the further spread of nuclear weapons.

The proliferation of weapons of mass destruction is a serious threat to the security of the United States, and the stability of the international system as a whole. However, an essential point in this argument is whether or not this trend can be curbed. The NPT treaty provides a baseline for responding to the proliferation of this technology to countries that might lack the technological infrastructure to handle it safely. However, the effectiveness of this endeavor has recently been drawn into question by several scholars. For instance, Michael Mandelbaum questions the effectiveness of restricting the supply of ballistic missile and nuclear weapons technology as a means of isolating rogue states. He states that "supply restraints (such as the NPT regime) can, sooner or later, be defeated by time, money, and determination."⁶⁹

Mandelbaum then critiques the current method of using "carrots" instead of "sticks," as applied in North Korea. Providing financial and other incentives not to proliferate will also surely fail, according to Mandelbaum, because, "even if the world is willing to buy nuclear programs not every rogue will be willing to sell." He thus concludes that "more forceful methods may be required in order to keep nuclear weapons out of their hands."⁷⁰ Given this drastic alternative, missile defense systems, whether or not they comply with the ABM treaty, would provide a valuable option to decision-makers that could save many lives.

consistent with the rational deterrence theory or not, is the goal of a strategy.

⁶⁹Michael Mandelbaum, "Lessons of the Next Nuclear War," *Foreign Affairs* 71 (March/April 1995), 35. This belief is also echoed in an article by Bradley Thayer, "The Causes of Nuclear Proliferation and the Utility of the Nuclear Non-Proliferation Regime," *Security Studies* 4 (Summer 1995), 463-519, which insists that demand fuels proliferation and makes it probable that this trend will continue.

⁷⁰Mandelbaum, "Lessons of the Next Nuclear War," 35.

Changes in the Offense-Defense Balance

The impact of improved relations with Russia and the increasing proliferation of weapons of mass destruction with ballistic missiles can be most clearly measured in terms of the stability of the international system. Stability in this case refers to the probability of a war that could escalate to involve nuclear weapons use. As we saw earlier, the probability of such a conflict plays a major role in determining the moral standing of a strategy, as well as its strategic value. In his article, "Cooperation Under the Security Dilemma," Jervis described how distinguishing between offensive and defensive capabilities and determining which type of capability enjoys the advantage in the international system could lead to a situation of redundant stability or inherent danger.⁷¹ The "four worlds" which resulted from this analysis are essential to understanding the nature of the current system, and where it is probably headed. More importantly, this classification points the way for establishing a "doubly stable" world, where security dilemmas are avoided and conflict is unlikely.

The first world described by Jervis is one in which offensive weapons and doctrines are indistinguishable from defensive ones, and offense has the advantage over defense. This advantage depends mainly on economic investment, where one dollar invested in offense will provide more capability than the same dollar would invested in defense. According to Jervis, any attempts to increase one's security in this "doubly dangerous" world will provoke a severe security dilemma, making adversaries feel much less secure, whether the fortifications are intended simply to maintain the status quo, or to revise the status quo through aggressive expansion. Thus the classification as status quo power or revisionist state is most important in this world, but it is also the most difficult

⁷¹Robert Jervis, "Cooperation Under the Security Dilemma," *World Politics* 30 (January 1978), 164-214.

to be sure of. Convincing others of one's benign intentions is especially difficult when offense has the advantage and cannot be distinguished from defense.

In Jervis' second world, defense is still indistinguishable from offense, but in this case, it is defense which holds the advantage. The security dilemma still exists in this world, since one must still be suspicious of an adversary's build-ups. However, conflict is less likely than in the first world, since the defensive advantage will still prevent most states from becoming aggressive. This leads to consideration of Jervis' third world, which is exactly the opposite of the second. In this world, security dilemmas do not occur, because offensive postures are distinguishable from defensive ones, but conflict remains very likely, since offensive postures are more effective.

The final world, according to Jervis, is the "doubly stable" world, in which offensive doctrines can be clearly distinguished from defensive ones, and the defensive posture presents a significant advantage over offensive doctrines. It is this world which Jervis says best describes the deterrent situation which characterized the Cold War. Because both sides could effectively retaliate after being attacked by the other, offensive postures were at a disadvantage, and the only offensive weapons were those which targeted retaliatory capabilities, instead of targeting people, as the "defensive" systems did. Thus, Jervis discounted missile defense systems as needlessly destabilizing:

In the context of deterrence, offensive weapons are those that provide defense. In the now familiar reversal of common sense, the state that could take its population out of hostage, either by active or passive defense or by destroying the other's strategic weapons on the ground, would be able to alter the status quo. The desire to prevent such a situation was one of the rationales for the anti-ABM agreements; Such an effort, even if not inspired by aggressive designs, would create a severe security dilemma.⁷²

This assessment, however, was based on the bipolar reasoning of the Cold War.

Although both sides are still vulnerable to an attack by the other, the level of tension has

⁷²Ibid., 175.

dramatically decreased since then, and both countries now focus their attention on new security threats, or non-security issues, because of the reduced fear of attack from one another.

Primary among these common threats both nations face is international instability, which both feeds on and contributes to the proliferation of weapons of mass destruction, as described in the previous section. The full effects of this trend on the status of the ABM treaty, though, cannot be addressed by reference to the proliferation literature alone. According to the model Jervis describes, the stability of the international system depends in large part on the extent to which defensive postures hold an advantage over offensive ones and the ability of one's adversaries to distinguish between these two types of forces. Both factors are drastically different when viewed from the perspective of potential proliferators and the nations which will attempt to deter them.

First, in Jervis' conception, offense has the advantage when "it is easier to destroy the other's army and take its territory than it is to defend one's own." Likewise, defense has the advantage when "it is easier to protect and to hold than it is to move forward, destroy, and take."⁷³ Cold War logic presented nuclear weapons as the ultimate defensive weaponry, as described above, because they made any offensive movements against the nuclear state useless. However, the post-Cold War world is not so simple, since revisionist states can also use nuclear weapons to assist them in conquest, by blackmailing or even using the weapons to neutralize resistance.

Thus, if one eliminates the "take" requirement from Jervis' equation, assuming that any territorial conquest in a nuclear war is useless, offense will always have the advantage if missile defenses are not implemented. Nuclear coercion, as this offensive use is called, could be a powerful offensive application of nuclear weapons that motivates

⁷³Ibid., 187.

potential proliferators. Saddam Hussein, for instance, would have found moving forward into Kuwait much less risky if he had had access to a nuclear weapon, since he would have been effectively immune from attack by any country within range of his Scud missiles. However, if effective missile defense is introduced to this scenario, his audacity could still be answered by force in spite of his nuclear threats. The limited Patriot missile capability which was deployed to Israel during that conflict shows the political power such a defense can have.

In a world with missile defense systems, the positive benefits one might obtain from developing nuclear weapons would be greatly decreased. Blackmail and nuclear intimidation would no longer be effective against all adversaries (although still effective against some), and imprudent behavior would not be rewarded with immediate and automatic compliance. Because defenses do not depend on rational calculation by one's adversary in order to be effective, they also give defense a universal quality that the current system of nuclear deterrence lacks.

Although most offense-defense theorists define defensive advantage strictly in terms of cost efficiency,⁷⁴ the advantage one obtains from weapons is drastically changed once the assured security provided by deterrence is brought into question. For a developing country that wants to increase its influence in the international system, a small investment in nuclear weapons will have much greater impact than a huge investment in defenses. Thus, the continued proliferation of nuclear weapons means that *offense* will have the advantage for proliferating revisionist states, and defense will be harder for everyone else, if deterrence is not assured. Also, recent advances in technology, such as the "Brilliant Pebbles" sensor program, have sufficiently decreased the costs of

⁷⁴Sean M. Lynn-Jones, "Offense-Defense Theory and Its Critics," *Security Studies* 4 (Summer 1995), 660-691. See also, Charles Glaser, "Realists as Optimists," 388. "Defense enjoys a larger advantage when the required investment in offense is larger."

anti-missile missiles to make them less expensive than the nuclear ICBMs which they are intended to attack, giving defense a slight economic advantage in the long run, once an effective framework is in place.⁷⁵

One implication of a system in which offense has the advantage is that windows of opportunity might seem more tempting. Proponents of the ABM treaty argue that a ballistic missile defense system would reward states for initiating war during a window, when their relative technological advantage is greatest. Again, the international perspective sheds a different light on this problem, especially when deterrence is not assured. In essence, BMD is the essential link which gives defense the advantage by increasing the required investment in missiles necessary to assure penetration and reducing the payoffs which missile ownership implies.⁷⁶

When deterrence is not assured, a nuclear weapon may or may not be an effective means of defense. What's more, defenses limit the psychological impact of a nuclear threat, which further reduces their effectiveness. Clearly, one nuclear missile is cheaper than one effective missile defense system, but if one defines military capability in terms of "ability to perform military missions,"⁷⁷ a small nuclear arsenal becomes useless against an effective defense. Thus, offense would only have the advantage against undefended adversaries. The difference is that the defended countries have a strategic advantage over others. Jervis even acknowledged the importance of this change in his recent work, "The Future of World Politics: Will It Resemble the Past?"⁷⁸ He described

⁷⁵Simon P. Worden, *SDI and the Alternatives* (Washington, D.C.: National Defense University Press, 1991), 195.

⁷⁶In this sense, missile defense offers the distinct advantage of addressing the actual cause of increasing nuclear instability: proliferation of nuclear weapons and ballistic missiles. By reducing the benefits of nuclear missile ownership, BMD might lessen the rate of proliferation, which would stabilize the international system beyond the limits which offense-defense theory suggests.

⁷⁷Glaser, "Realists as Optimists," 380.

⁷⁸Jervis, "The Future: Will It resemble the Past?" *International Security* 16 (Winter 1991), 39-73.

the offensive potential of nuclear weapons when applied to the multi-lateral situation of the post-Cold War era as a critique of Waltz' deterrence optimism. For revisionist states, proliferation offers a cheap and easy way to secure unjust victories, but only against adversaries who do not possess anti-missile technology.

As for distinguishing defensive capability from offensive, a new nuclear state today can always claim that its nuclear program is motivated by insecurity, even if its true goal is blackmail or conquest. The world without defenses makes "no-first use" declaratory policy the only distinguishing characteristic of a defensive nuclear system, although the U.S. example shows that even some defensive powers cannot apply this distinction. In a world where defenses exist, distinguishing between offensive and defensive armaments is at least possible, although still difficult. Thayer's claim that defensive systems can always be used in a concerted attack to hurt the other side becomes false, since a completely effective defensive system, as improbable as that situation is, would allow the protected state to completely disarm its nuclear arsenal (if it so chooses) without fear of repercussion.⁷⁹ Thus, defensive systems can be defined as those which practice "deterrence by denial," denying the attacker the positive objective he seeks, while offensive systems continue the practice of "deterrence by punishment."

The current strategy of worldwide deterrence, regardless of its moral standing, is rapidly approaching Jervis' "doubly dangerous" world, in which conflict is most likely. As long as the ABM treaty is in force, offensive postures (nuclear threats) will maintain a strategic advantage over defense. Until an effective missile defense can be built, all nuclear weapons will also serve offensive and defensive purposes, making the two

⁷⁹One of the main reasons a completely effective defensive system is nearly impossible has to do with the many different delivery vehicles which can be used in addition to ballistic missiles (i.e. bombers, smugglers, boat, etc.). Although this is a common argument against missile defenses, it must be noted that deterrence is equally useless at limiting this type of damage, and retaliation (though perhaps not nuclear) would be a possible response in either case, provided that the attacker could be identified.

objectives indistinguishable. The ABM treaty, when viewed in the context of nuclear proliferation, prevents policy-makers from taking the necessary steps to maintain stability in the international system. Missile defense systems, on the other hand, could not only prevent descent into the "doubly dangerous" world, but might even reverse the trend of proliferation and make the system even more stable.

The Cult of Deterrence

The quest for stability, as portrayed by Robert Jervis, provides a prescription for policy-makers and strategists on how to avoid a security dilemma, but it also presents a compelling example of what can happen when this advice is not heeded. In his explanation of the first World War, as well as the theoretical model which follows, Jervis emphasizes the importance of *perceptions* of the offense-defense balance as a condition which can provoke or restrain a security dilemma. In this sense, Jervis builds on his earlier work, *Perception and Misperception in International Politics*,⁸⁰ to explain why European leaders in 1914 initiated war despite the decisive technological and strategic advantages enjoyed by defenders. Like Van Evera's "Cult of the Offensive," Jervis shows that the leaders fundamentally misperceived the advantages enjoyed by defensive strategies, which led them to dangerously aggressive policies of rapid mobilization and entangling alliances. This misperception of the true state of technology and strategy was a fundamental cause of World War I, and the United States is in danger of repeating those mistakes in its efforts to maintain stability today.

Perhaps the most striking characteristic of the current debate over missile defenses is the dogmatic refusal of some deterrence advocates to abandon the Cold War mentality of mutual vulnerability and absolute rationality. Certainly, there are many logical reasons to maintain deterrence, and many reasonable scholars who are genuinely convinced that deterrence is actually the best way to defend the current peace in the international system and avoid the use of nuclear weapons in the future. However, the strategy of deterrence is similar to the offensive strategies prior to WWI in that both have the potential to inspire dogmatic and unthinking loyalty to the strategy itself instead of the end goal which the strategy is meant to achieve. As shown above, deterrence has become for many optimists

⁸⁰Robert Jervis, *Perception and Misperception in International Politics* (Princeton: Princeton University Press, 1976).

an end in itself, causing them to evaluate foreign policy options according to the extent to which they promote or undermine deterrence.

A better goal would be to evaluate strategies according to how well they promote security, an endeavor for which BMD has shown great potential. The ABM treaty, as a concrete manifestation of the cult of deterrence, is viewed as above reproach by the arms control experts and deterrence optimists who use it as a baseline for arms control and security dialogue. Certainly, their work to reduce nuclear stockpiles in Russia and the United States should continue, and their concerns over the implications of revoking the ABM treaty must be heeded. However, it is not entirely clear that arms reductions would not continue if the ABM treaty is revoked, as described above. Moreover, working within the treaty means that the United States will be working without the most promising defensive technology available to defend its interests from the threat posed by proliferation.

Although the ABM treaty does not outlaw all research on missile defenses, it does limit such research in order to ensure that neither side can "break out" suddenly to develop a national missile defense. Recent limitations on testing have restricted America's access to the most promising anti-missile technologies, though in many other cases these constraints are too arbitrary and artificial to be effective.⁸¹ Perhaps more importantly, the logic of the treaty permits unlimited deployment of ineffective technologies, while forbidding the technologies which seem most effective in achieving the goals for which they are designed. With no "bright line," as Albert Carnesale calls it,⁸² to distinguish between TMD and strategic ballistic missile defense, any effective TMD would be outlawed, and only the weakest systems could be employed.

⁸¹Mendelson and Rhinelander, "Shooting Down the ABM Treaty," show that missile defense advocates may still deploy fully capable missile defenses, and still comply with the treaty, as long as the operational effectiveness of the technology has not been formally tested.

⁸²Albert Carnesale, "Defenses Against New Nuclear Threats," in Robert D. Blackwill and Albert

Despite all these problems, the most fundamental flaw in the ABM treaty is its inherently negative *moral* evaluation of missile defense. Although this conclusion is not clearly elaborated in the wording of the treaty itself, it is an assessment commonly shared by many scholars and strategists who subscribe to the logic of the ABM treaty. Perhaps most importantly, it is based on utilitarian calculations similar to Lee's assessment of the Cold War. This logic condemns attempts to change the status quo as unconscionable risks which no one should dare to take:

"Assured Destruction" leaves much to be desired as a nuclear strategy, and the world of "mutual assured destruction" ("MAD") which it fosters leaves much to be desired as well. But 1914 warns that we tamper with MAD at our peril: any exit from MAD to a counterforce world would create a much more dangerous arrangement, whose outlines we glimpsed in the First World War.

The reference to World War I as a justification of the ABM treaty hints at the deep irony of this analysis: the quotation above is typical of the "Cult of Deterrence" which currently pervades the debate over the ABM treaty, yet it is taken from the final paragraph of Stephen Van Evera's "Cult of the Offensive."⁸³

Amazingly enough, Van Evera is one of the most outspoken defenders of what I call the "Cult of Deterrence," which subscribes to the "now familiar reversal of common sense" described above by Jervis. By berating so-called "counterforce" strategies such as ballistic missile defense as dangerous war-winning strategies, Van Evera unwittingly commits the same error for which he critiqued the strategists of 1914. By "glorifying the offensive," WWI generals created an atmosphere in which the status quo was assumed to be strategically superior. The cult which formed around offensive doctrines in that time was also based on the assumption that the best defense is a good offense, and to make

Carnesale, eds., *New Nuclear Nations: Consequences for U.S. Policy* (New York: Council on Foreign Relations Press, 1993), 210.

⁸³Stephen Van Evera, "The Cult of the Offensive," 107.

peace, one must prepare for war. The similarities are indeed uncanny, but for some reason Van Evera and others have discounted them out of hand.

Perhaps the most salient similarity between the current system of deterrence and the conditions which led to World War I is the elaborate system of alliances which could entangle the members in conflict against their wills. As Van Evera described WWI, "both alliances had an unconditional, offensive character" and there was reason to doubt the commitments of allied nations to each other's security. But, he says, "the unconditional nature of the alliances rather than their mere existence was the true source of their danger."⁸⁴ Unfortunately, such unconditional promises are essential to a credible extended deterrent, as evidenced by a simple scenario: If North Korea had an ICBM capable of destroying Los Angeles, would it not doubt America's commitment to risk that city in defense of Seoul? Moreover, America's unconditional commitment to South Korea's security (which was originally motivated by Cold War tensions) commits the U.S. to defend them even if the South provokes an attack by threatening the North. Compare this scenario to a world in which missile defenses exist, where nuclear coercion is impossible and the possible responses available to fulfill these alliance commitments are more flexible, as Van Evera demands.⁸⁵

Also common to the current situation and that which faced Europe in 1914 is the presence of "organizationally self-serving interests" which perpetuate the doctrinal status quo and the public pressure caused by years of professing a certain type of doctrine. Before WWI, according to Van Evera, the military organizations advocated offensive strategies to maximize their power and resources, while public opinion was also a part of the cult, convinced by the strategists' claims that offense was the best defense. In the case

⁸⁴Ibid., 97.

⁸⁵These concerns of entangling alliances are even more salient in the context of NATO expansion, which could draw the United States into a nuclear war with Russia (or some other nation) over some obscure East European nation which few Americans have ever heard of.

of nuclear deterrence, today's militaries have invested their reputations and dedicated themselves to a deterrent structure which the public has also come to support. However, this complete reliance on deterrence carries the same dangers as the complete dependence of European powers on their offensive doctrines: technological innovations and political changes abroad could drastically alter the offense-defense balance, leaving the overly dedicated, deterrence-only militaries completely useless.

Finally, Van Evera described the negative impact of "raising the cost of improvisation if statesmen insisted on adjusting plans at the last minute."⁸⁶ This inflexibility was essential in precipitating WWI, and in a deterrence situation, the entire security apparatus of a nation is threatened if it hesitates to retaliate when attacked. Not only is the aggressor's attack more likely to be successful the longer retaliation takes, but future aggressors will also be more difficult to deter if they doubt one's conviction to retaliate instantly. Therefore, BMD offers a better alternative, because it offers several options which do not undermine one's security, including the option of non-response, as described by Zink above.

Ballistic missile defense is thus a morally and strategically preferable alternative, yet it has been precluded from consideration by the dogmatic defense of a deterrent balance which may not even exist any more. Just as Van Evera's theory predicts, military commitments to the preferred doctrine, public faith in the myth of security through superior strength, and unreasonable alliance commitments have combined to create a situation in which the United States is not able to choose the strategy most advantageous to its security. Through misperception and misguided faith in a particular doctrine, it chooses the destabilizing, status-quo option instead. Missile defense, often portrayed as a risky response to a fabricated threat, offers the only realistic solution to the problems

⁸⁶Ibid., 86.

posed by proliferation. These problems may not be immediately threatening, but they are certainly developing in a way that current strategies cannot deal with.

The recent debate over missile defense has been clouded by partisanship and biased toward short-term solutions. Even the ABM treaty re-negotiations, which allowed for continued development of TMD systems, have distracted attention from the inevitable failure of that treaty, given the changing security environment. The long-term strategy of escaping mutual vulnerability is both morally preferable and strategically feasible. According to the Ballistic Missile Defense Organization (BMDO), a fully operational national missile defense could be deployed in six years if fully funded and supported politically.⁸⁷ This “three-plus-three” strategy of three years for development plus three years for deployment of the system, shows exactly how close the United States is to unilaterally “breaking out” of the ABM treaty, as discussed earlier. Such a situation would no doubt be the most dangerous possible outcome of the missile defense debate in terms of Russian response.

Critics of missile defense strategies also claim that the current threat posed by ballistic missiles and weapons of mass destruction is not yet salient enough to justify the huge investment necessary to pursue this type of missile defense strategy.⁸⁸ However, they fail to fully appreciate the ramifications of such a strategy. By reducing the benefit potential proliferating countries would find in possessing nuclear weapons, missile defense could prevent the threat of instability from ever becoming a reality. As Brahma Chellaney shows in a critique of the NPT regime,

The future success of nonproliferation will essentially depend on the incentives to nuclear weapons acquisition being eroded or eliminated. This demands that the military and political value of nuclear weapons be

⁸⁷BMDO is a division of the Department of Defense charged with developing and supervising missile defense technology. BMDO factsheet. Internet site: <http://www.bradbury.nrl.navy.mil/general/bmdo.html> (downloaded October 17, 1996).

⁸⁸Keeny, “Theater Missile Defense Threat to U.S. Security,” 7.

deemphasized. As long as nuclear weapons remain instruments of power, influence, and intimidation in international politics and serve as the 'strategic equalizer' to the conventional military superiority of an adversary or adversaries, nations outside security alliances will be attracted to them.⁸⁹

Thus, by eliminating the automatic intimidation associated with nuclear power, BMD might effectively reduce the rate of proliferation -- not by coercion, but by choice. Keith Payne concisely summarizes the point, saying that "by decreasing the military and political utility that many states attribute to missiles, missile defense should reduce the incentives to acquire, market, or maintain them."⁹⁰ But the true impact of this effect is to pre-empt the instability caused by proliferation. In essence, decision-makers need not wait for the threat to be sufficiently developed that it threatens their nation's vital interests in order to act.

The critics of BMD have found convenient reasons to prolong the ABM deterrence regime, and withdrawal from that convention would be a delicate matter, as all major security initiatives are. It must therefore not be undertaken unilaterally if bilateral assent is possible. However, it is important to note that this move could actually lead to better relations between the U.S. and Russia in the long run. Although BMD has a great deal of potential to provoke insecurity in Russia over the American nuclear threat, a combined initiative toward missile defense with further reductions in ballistic missiles and warheads beyond the levels outlined in START 3 would ensure that the American BMD fortification could be distinguished as defensive only.⁹¹ In this case, instead of provoking a security dilemma and ensuing arms race, BMD could provide the means to

⁸⁹Chellaney, "Naiveté and Hypocrisy," 785.

⁹⁰Payne, "Post-Cold War Deterrence and Missile Defense," 221.

⁹¹Charles Glaser's "Realists as Optimists" shows how defensive fortifications can be implemented safely as long as they are non-threatening. In this case, a significant reduction in offensive capability, such as that posed by SLBM first-strike launchers, should be sufficient to assuage Russian fears of invasion, while offsetting some of the costs for developing a missile defense system.

disarm in security. Plus, an America that lacks large-scale offensive capabilities cannot be a threat to anyone, which is especially important for the U.S. to maintain its status as a "benign hegemon."⁹² Moreover, the continued process of proliferation may soon threaten Russian security as well, giving them incentive to cooperate in the transition from a "doubly dangerous" world to a "doubly stable" one.

One final concern that is also distantly related to balance of power theory is the possibility that a unilateral move in the direction of BMD might destabilize Russian domestic politics.⁹³ This issue may actually be non-problematic for Kenneth Waltz, since domestic structure is generally irrelevant in his conception of neorealism. However, an important body of literature links domestic politics with international influences, which can in turn be affected by domestic outcomes. Thus, one might argue that in an effort to balance against rising American power, hardline elements in Russian politics, which already advocate massive rearmament and revisionist policies, might attempt to displace the current administration.⁹⁴ Since the Yeltsin administration has been associated with political and economic liberalization, a sudden threat to the security of Russia could empower opposition Communists and ultra-nationalists, long since wary of arms reductions and suspicious of any limitations imposed by the ABM treaty.⁹⁵

⁹²On the importance of maintaining a benign hegemony, see Chris Layne, "The Unipolar Illusion," in *The Perils of Anarchy*, 287-331.

⁹³For a detailed analysis of the effects of international forces on domestic political outcomes, see Peter Gourevitch, "The Second Image Reversed: The International Sources of Domestic Politics," *International Organization* 32 (Fall 1978), 881-912.

⁹⁴For samples of the most outrageous claims of ultra-nationalist Vladimir Zhirinovsky, see Graham Frazer and George Lancell, *Absolut Zhirinovsky: A Transparent View of the Distinguished Russian Statesman* (New York: Penguin books, 1994). Zhirinovsky's party, which controls a large minority of the Russian Duma, is committed to restoring the borders of the old Soviet Union, with force, if necessary.

⁹⁵Miriam Becker, "Strategic Culture and Ballistic Missile Defense: Russia and the United States," *Airpower Journal* 8 (Special Edition 1994), 57-68.

This power shift could take the form of a coup d'état, bureaucratic infighting or even battles for electoral support. If the hardliners in Russian politics stage a successful coup d'état, it would increase the possibility of a preventive war, initiated to keep the U.S. from achieving a decisive strategic advantage.⁹⁶ If, however, the incorporation of democratic values continues, and political battles continue to be waged in free, fair competition for electoral support, the likelihood of conflict between the U.S. and Russia would probably decrease, as described by advocates of the Democratic Peace Theory.⁹⁷ Finally, even if Russia perceives the adoption of BMD by the U.S. as a security threat, it is possible that instead of empowering hardline opposition in Russia, the perceived threat might actually strengthen the Yeltsin regime, in a sort of "rally-'round-the-flag" type of response to an external threat.⁹⁸ On the other hand, Russian citizens in general may not feel threatened or even care about an American BMD system, as long as significant offensive reductions reinforce the benign atmosphere.

In sum, Van Evera developed an excellent theory on the role of the cult as a fundamental cause of World War I, but then perpetuated a different cult by appealing to the offense-defense balance. The unstable world which he described as a likely outcome

⁹⁶See Sagan, "More Will Be Worse," 56, and Randall Schweller, "Domestic Structure and Preventive War," *World Politics* 44 (January 1992), 268. Schweller argues that "preventive war as a solution is exclusive to declining nondemocratic states," which implies that a newly authoritarian regime facing nuclear obsolescence might be more likely than a partially democratic state to wage this type of war.

⁹⁷According to Bruce Russett, "Why Democratic Peace," in Michael E. Brown, Sean M. Lynn-Jones, and Steven E. Miller, eds., *Debating the Democratic Peace* (Cambridge: MIT Press, 1996), 82-115, democratic norms and values should have a pacifying effect on Russian culture. This research may explain the 1996 Russian Presidential election, in which the aggressive policies of Vladimir Zhirinovskiy were heartily renounced, and the Russian public opted to continue in its progress toward democracy. Admittedly, the Russian Federation has not yet established itself as a liberal democracy, but if the current progress continues, pessimism about Russian insecurity as a potential cause of war will become less and less justified.

⁹⁸The "Rally-'round-the-flag" phenomenon, such as the U.S. experienced during Operation Desert Storm, has been common enough in the history of international politics. Stephen Van Evera's article "Hypotheses on Nationalism and War," *International Security* 18 (Spring 1994) 5-39, describes this reaction, as well as Michael C. Desch, "War and Strong States, Peace and Weak States," *International Organization* 50 (Spring 1996) 237-268.

of "counterforce" strategies closely resembled the Cold War struggle: "dark political and military secrecy, intense competition for resources and allies, yawning windows of opportunity and vulnerability, intense arms-racing, and offensive and preemptive war plans of great scope and violence."⁹⁹ However, this description failed to account for the element of misperception, whereby a nation's overconfidence in a given strategy can cause it to "discount the power of political factors which would favor (the opposite strategy)."¹⁰⁰ Thus Van Evera claims that "the belief that conquest was easy and security scarce" was a major cause of the tension which led to World War I. But one must wonder how much more secure we should feel with a mistaken belief that conquest is impossible and security plentiful. The costly lessons of World War II indicate that we should not.

The mistaken logic of deterrence has framed national security policy in the Post-Cold War era and led to inaccurate assessments of the role that ballistic missile defense can play. The implicit moral evaluation of BMD has limited decision-makers' willingness to consider this option, which shows so much promise for ensuring America's continued security. Critics of missile defense rely mainly on the arguments which motivated the ABM treaty or appeals to the interests which that treaty represents. Neither of these two claims is still relevant to current efforts to deal with proliferation. Although Russian cooperation is important and their views should always be respected, this does not erase America's primary strategic goal to defend the United States against attack. To the extent that the ABM treaty judges any efforts in the direction of national missile defense as insane and immoral, it is a codification of the cult of deterrence which could be a prelude to the next major-power war.

⁹⁹Van Evera, "The Cult of the Offensive," 106.

¹⁰⁰Ibid., 62.

Conclusion

In the pursuit of the best national security policy, it is absolutely essential to maintain a wide variety of options.¹⁰¹ Whether considering various grand strategy configurations or particular actions within a given strategy, the lack of effective alternatives is a much more common problem than an overflow of too many options. Given that constraint, however, it is still true that the nature of organized politics is incremental. Although revolutionary changes can and do occur from time to time, they are probably more dangerous in terms of stability than the institutionalized problems of the type described in this thesis. As such, any response to these problems must be decisive, but not revolutionary.

The ABM treaty denies the United States the moral authority to defend itself against the most significant threat to its continued security: the proliferation of technology for ballistic missiles and weapons of mass destruction. As this trend continues, the state of international stability will move closer and closer to Jervis' "doubly dangerous" world, and the ABM treaty amplifies that trend. Only missile defense can at the same time defend the U.S. from this threat as well as treating the underlying cause of continued proliferation. By reducing the political and strategic benefits which nuclear weapons currently yield to proliferating states, BMD could move us back in the direction of Jervis' "doubly stable" world, thus reducing the likelihood of nuclear attack. This outcome has clear moral and strategic implications, but it is impossible under the current regime dominated by the cult of deterrence.

The Just War Tradition presents a clear directive for the course of action the United States must undertake, explicitly stated by Michael Walzer. The search for alternatives to nuclear deterrence must not be constrained by the institutional remnants of the Cold War. Yet even strict utilitarian logic, when viewed in the context of

¹⁰¹See Robert Art, "A Defensible Defense: America's Grand Strategy After the Cold War," *International Security* 15 (Spring 1991), 28.

proliferation and instability, demands that the United States end the current practice of treating every nation in the world as similar in terms of its foreign policy decision-making. The United States should deploy a comprehensive missile defense system in conjunction with significant reductions in offensive nuclear weapons. Instead of making nuclear war appear winnable, as Van Evera feared, BMD would increase overall stability and ease the pressures on potential nuclear powers to proliferate for political gain. It would in fact reduce the likelihood of nuclear war as well as the damage caused if such a war should ever take place. However, this type of strategy cannot safely be explored as long as the ABM treaty is in effect.

Moreover, the evolving controversy over Theater Missile Defenses shows that the ABM treaty is no longer consistent with America's declared commitment to defend its allies and troops abroad. Although Presidents Clinton and Yeltsin have renegotiated the ABM treaty to make room for TMD, this type of modification actually undermines the credibility which will be so essential if real cooperation is to occur in the future. To continue searching for loopholes in the treaty and reestablishing arbitrary legalistic distinctions between TMD and BMD only serves to undermine the confidence any partners can have in America's commitment to honest dealings on the issue of arms control. Eventually, the ABM treaty will be dissolved as its authors foresaw when they drafted Article XV, which allows either side to withdraw from the agreement if it deems such action necessary for national security reasons.

While this decisive change would be unpopular and controversial, it is clear that the ABM treaty is no longer consistent with American security interests and unreasonably prevents the U.S. from effectively defending its territory. Perhaps the most telling critique of this treaty as it is maintained today comes from one of the architects of the original ABM treaty negotiations, Henry Kissinger. He writes:

Our experience with the ABM Treaty has shown that a lack of defense neither promotes offensive reductions nor otherwise enhances stability. More important, the ABM Treaty is unable to help the United States deal with one of the most significant post-Cold War security threats: the proliferation of long-range ballistic missiles. In fact, the ABM Treaty now stands in the way of our ability to respond in an effective manner. ... *When things have changed so much, we must not fear changes in our Cold War treaty arrangements if such changes are in our best interest.*¹⁰²

To this one could only add that there is even more at stake than merely America's specific national security interests. The universal duties to prevent war and to limit the damage caused by war are presently aligned in such a way that a single strategy can now improve America's conformity to both by securing international stability. To the extent that it prohibits the U.S. from effectively pursuing the morally and strategically preferable strategy, the ABM treaty is now obsolete.

¹⁰²Henry M. Kissinger, Letter to Sen. Strom Thurmond, 03 August 1995, emphasis added. Internet site: www.fas.org/pub/gen/mswg/starwars/abm007.htm (downloaded May 7, 1996).

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